

**Introduced by Senator Maldonado**February 25, 2009

---

An act to amend Section 1831 of the Military and Veterans Code, relating to the POW/MIA Flag.

## LEGISLATIVE COUNSEL'S DIGEST

SB 369, as introduced, Maldonado. Prisoner-of-War/Missing-in-Action Flag: state-owned buildings and facilities.

Existing law requires the flag of the National League of POW/MIA Families to be flown over specified state buildings where the United States flag and the California state flag currently fly on certain dates during business hours.

This bill would instead require the flag to be flown during business hours at all state-owned buildings and facilities where the United States flag and the California state flag currently fly.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1831 of the Military and Veterans Code
- 2 is amended to read:
- 3 1831. (a) So that the people of California will not forget the
- 4 sacrifices of those members of the United States Armed Forces
- 5 who, after the termination of hostilities, remain prisoners of war
- 6 or are missing in action, as well as the sacrifices of missing United
- 7 States nonmilitary personnel and civilians, the Governor shall

1 annually proclaim the third Friday of September to be known as  
2 Prisoner-of-War/Missing-in-Action (POW/MIA) Recognition Day.

3 (b) The flag of the National League of POW/MIA Families  
4 (POW/MIA Flag) is a black and white banner symbolizing those  
5 members of the United States Armed Forces who are listed as  
6 prisoners of war or missing in action. The flag serves as a powerful  
7 reminder to people everywhere of our country's firm resolve to  
8 achieve the fullest possible accounting for every member of the  
9 United States Armed Forces, and United States nonmilitary  
10 personnel and civilians. To the extent it is structurally feasible, the  
11 flag shall be flown during business hours, at ~~locations all~~  
12 ~~state-owned buildings or facilities~~ where the United States flag  
13 and the California state flag currently fly, ~~over all of the following~~  
14 ~~places on the dates specified in subdivision (c):~~.

15 ~~(1) All California National Guard armories.~~

16 ~~(2) Department of Veterans Affairs.~~

17 ~~(3) Military Department.~~

18 ~~(4) State Capitol.~~

19 ~~(5) All of the headquarters of the following agencies in~~  
20 ~~Sacramento:~~

21 ~~(A) Business, Transportation and Housing Agency.~~

22 ~~(B) California Environmental Protection Agency.~~

23 ~~(C) California Health and Human Services Agency.~~

24 ~~(D) Office of Child Development and Education.~~

25 ~~(E) Resources Agency.~~

26 ~~(F) State and Consumer Services Agency.~~

27 ~~(G) Youth and Adult Correctional Agency.~~

28 ~~(c) (1) For the purpose of subdivision (b), the POW/MIA Flag~~  
29 ~~shall be flown on the following dates:~~

30 ~~(A) Armed Forces Day, the third Saturday in May.~~

31 ~~(B) Memorial Day, the last Monday in May.~~

32 ~~(C) Flag Day, June 14.~~

33 ~~(D) Independence Day, July 4.~~

34 ~~(E) National POW/MIA Recognition Day, the third Friday in~~  
35 ~~September.~~

36 ~~(F) Veterans Day, November 11.~~

37 ~~(2) If June 14, July 4, or November 11 falls upon a Saturday,~~  
38 ~~the flag shall be flown on the preceding Friday. If any of those~~  
39 ~~dates fall upon a Sunday, the flag shall be flown on the following~~  
40 ~~Monday.~~

1     ~~(d)~~

2     (c) The flag shall be flown at the Vietnam Veterans Memorial  
3 located on the grounds of the State Capitol whenever the United  
4 States flag is flown at that location.

5     ~~(e)~~

6     (d) Additionally, the Governor and the Legislature are authorized  
7 and requested to issue proclamations calling upon the people,  
8 schools, and local governments of California to recognize  
9 POW/MIA Recognition Day with appropriate ceremonies and  
10 activities.

O